

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Greta ARNAUT, et al. ) Group Art Unit: 1638  
)  
Application Number: 10/040,906 ) Examiner: Anne R. KUBELIK, Ph.D.  
)  
Filed: January 9, 2002 )  
)  
For: NUCLEIC ACID MOLECULES ENCODING NOVEL BACILLUS  
THURINGIENSIS Cry2Ae INSECTICIDAL PROTEINS, PLANT CELLS, PLANT  
OR SEEDS COMPRISING THE NUCLEIC ACID MOLECULES AND METHODS  
OF USING SAME

**PETITION FOR THREE-MONTH EXTENSION OF TIME  
AND NOTICE OF APPEAL**

**Mail Stop Amendment**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR THREE-MONTH EXTENSION OF TIME**

Applicants respectfully petition for a three-month extension of time under 37 C.F.R. § 1.136(a) for responding to the Office Action mailed on July 14, 2005, in the above-captioned application. Accordingly, it is respectfully requested that the time for response be extended up to and including January 17, 2006 (January 14, 2006 = Saturday; January 15, 2006 = Sunday; January 16, 2006 = Holiday). A check in the amount of \$1,520.00 is attached to cover the three-month extension of time fee (\$1,020.00) and Notice of Appeal Fee (\$500.00). In the event of any variance between the amount enclosed and the fees determined by the U.S. Patent and Trademark Office, please charge or credit such variance to the undersigned's Deposit Account No. 50-0206.

01/19/2006 HALI11 00000011 10040906

01 FC:1401 500.00 DP  
02 FC:1253 1020.00 DP

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner rejecting claims 58, 71, 76, 77, 80, 83 and 84 in the above-captioned application.

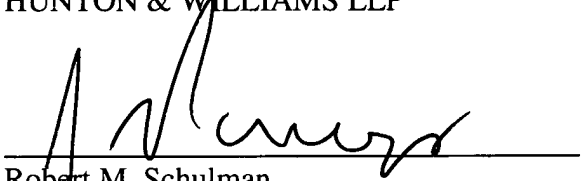
A check in the amount of \$500.00 is attached to cover the Notice of Appeal fee. In the event of any variance between the amount enclosed and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 50-0206.

Respectfully Submitted,

HUNTON & WILLIAMS LLP

Dated: January 17, 2006

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